

6-20-05

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PTO/SB/30 (04-05)

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/889,686
Filing Date	11/28/01
First Named Inventor	During, et al.
Art Unit	1638
Examiner Name	G. L. Helmer
Attorney Docket Number	03528.0133.PCUS00

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☒ Information Disclosure Statement (IDS)
- jj. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ other _____

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for

- a. ☐ period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees any underpayment of fees or credit any overpayments to

- a. ☒ Deposit Account No. **08-3038** I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	July 16, 2005
Name (Print/Type)	Qin Shi, Ph.D.	Registration No.	52,200

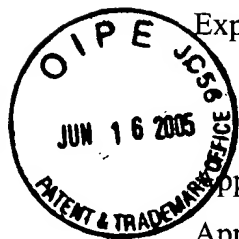
CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Express Mail No.	EV704110442US
Name (Print/Type)	Jennifer Altman	Date	July 16, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Express Mail No. EV704110442US

Date Mailed: June 16, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Düring *et al.*
App. No.: 09/889,686
Filing Date: November 28, 2001
Title: METHOD FOR THE
CONTROLLED POST-
HARVEST PRODUCTION OF
PROTEINS IN HOST
ORGANISMS

Art Unit: 1638
Examiner: G. L. Helmer
Attorney Docket No. 03528.0133.PCUS00

Mail Stop RCE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

**SUBMISSION ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114**

Sir:

This communication responds to the final Office Action mailed on December 17, 2004 for the above-captioned application (hereafter "Final Action"), and accompanies the Request for Continued Examination filed herewith under 37 C.F.R. § 1.114. Also enclosed is an Information Disclosure Statement. The Commissioner is hereby authorized to charge any requisite fees, including that under §1.17; or credit any overpayment to Howrey LLP Deposit Account No. 08-3038 referencing Atty. Dkt. 03528.0133.PCUS00. This authorization is to be deemed as a constructive petition for extension of time under 37 C.F.R. 1.136(a)(3).

Favorable consideration of the application in light of the following amendments and remarks is respectfully requested: